

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

OLIVIA Y., *et al.*

PLAINTIFFS

v.

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi, *et al.* DEFENDANTS

**DECLARATION OF SHIRIM NOTHENBERG**

1. I am Shirim Nothenberg, co-counsel for the Plaintiff Class in the above-captioned case. I am a member of the Bar of New York State and have been admitted to practice in this Court *pro hac vice*. I give this Declaration in further support of Plaintiffs' Unopposed Motion for Approval of Settlement Regarding Plaintiffs' Attorneys' Fees, filed May 9, 2008.
2. Since May 30, 2008, Children's Rights has received forty telephone calls from thirty-four individuals regarding the Notice of Proposed Fees Settlement that Defendants certified to have mailed. (McMillin Aff., Ex. to Defs.' Notice of Filing Aff. Certifying Compliance with Notice Requirements, ¶ 4.)
3. I or Jessica Polansky, another attorney at Children's Rights, have returned every telephone call received. Frequently, we had to make three or four telephone calls in order to speak with the caller.
4. We have spoken with thirty of the thirty-four callers. Of the individuals we have spoken with, all were current or former foster parents or calling on

behalf of a foster parent. Not one of these foster parents or their representatives objected to the Fee Settlement.

5. One of the foster parents who called, Maxine Williams, specifically stated to Ms. Polansky that she did not object to the attorneys' fees.
6. Of the four remaining callers who we were not able to reach, Ms. Polansky or I attempted to return their telephone call four or five times each. One of the callers left an incorrect telephone number.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of June, 2008.



Shirim Nothenberg